

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant)	James M. Sheppard JR.
Application No.)	09/747,529
Filed)	12/22/2000
Title)	JACQUARD WOVEN TEXTILE WITH GRAPHIC IMPRESSION AND A METHOD OF MAKING THE SAME
Confirmation Number)	2077
Examiner)	JOHNSON, Jenna-Leigh
Art Unit)	1771
Attorney Docket)	2827

May 6, 2008

Mail Stop: Appeal Brief—Patent
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

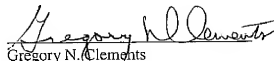
Response to Non-Compliant Appeal Brief

Dear Sir or Madam:

In response to the Notice of Non-Compliant Appeal Brief communication dated April 16, 2008 regarding the status of all claims filed. The claims status has been corrected and enclosed herewith is Replacement Page 2 of the Appeal Brief reflecting this correction.

It is believed the Appeal Brief is now in condition for examination and such is earnestly solicited. Should there be any further questions, kindly contact the undersigned immediately.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gregory N. Clements". The signature is written in a cursive style with a horizontal line underneath it.

Gregory N. Clements

Attorney for Appellants

Registration No. 30,713

CLEMENTS BERNARD MILLER

1901 Roxborough Road, Suite 300

Charlotte, North Carolina 28211

Telephone: (704) 366-6642

Facsimile: (704) 366-9744

GNC/nb

RELATED APPEALS AND INTERFERENCES

This case has been before the board once before in Appeal No. 2004-1029. In a decision dated July 29, 2004, the Board reversed the Examiner's previous rejection of record. A copy of the Board's decision is included in the Related Proceedings Appendix.

An appeal has been filed for related Application Serial No. 09/837,094, entitled JACQUARD OR DOBBY WOVEN TEXTILE WITH GRAPHIC IMPRESSION AND A METHOD OF MAKING THE SAME, having a filing date of April 18, 2001. The claims and issues in this related case are similar to those under appeal. An Appeal Brief is to be filed in this related case either concurrently with or shortly after this Appeal Brief.

An appeal has been filed for related Application No. 10/314,794, entitled A METHOD OF MAKING JACQUARD WOVEN TEXTILE WITH GRAPHIC IMPRESSION, having a filing date of February 19, 2003. An Appeal Brief was filed in this related application on December 21, 2007.

The Board is asked to consider the three appeals, as a group, as the subject matter and rejections of each are related.

STATUS OF CLAIMS

Canceled Claims - 1-20, 23 and 31

Pending claims—21, 22, 24-30 and 32-36

Allowed claims—none

Claims objected to—none

Claims rejected—21, 22, 24-30 and 32-36.

Claims appealed—21, 22, 24-27 and 32-36

STATUS OF AMENDMENTS

No amendment was submitted after the Final Rejection of October 31, 2007.

SUMMARY OF CLAIMED SUBJECT MATTER

Claim 21